Applicant: Gary De Jong, et al. Attorney's Docket No.: 17084-018003

(24601-416C)

Serial No.: 10/086,745 Filed: February 28, 2002

AMENDMENT AND RESPONSE AFTER FINAL

AMENDMENTS TO THE CLAIMS:

Please amend claims 17 and 18. This listing of claims replaces all prior versions, and listings of claims, in the application.

LISTING OF CLAIMS:

- 1-16. (cancelled)
- 17. (currently amended) A method for monitoring the delivery of a large nucleic acid molecule into a cell comprising:
 - (a) labeling the large nucleic acid molecule;
 - (b) delivering the labeled large nucleic acid molecule into a cell; and
- (c) detecting the labeled large nucleic acid molecule in the <u>cell</u> eells by flow cytometry, fluorimetry, cell imaging or fluorescence spectroscopy, as an indication of delivery of nucleic acid molecule into the cells.
- 18. (currently amended) A method for monitoring the delivery of a nucleic acid molecule into a cell comprising:
 - (a) labeling the nucleic acid molecule;
 - (b) delivering the labeled nucleic acid molecule into a cell; and
- (c) detecting the labeled nucleic acid molecule in the <u>cell</u> eells by flow cytometry, fluorimetry, cell imaging or fluorescence spectroscopy, as an indication of delivery of nucleic acid molecule into the cells, wherein the nucleic acid molecule is labeled with a thymidine analog.
- 19. (original) The method of claim 18, wherein the thymidine analog is iododeoxyuridine or bromodeoxyuridine.
- 20. (original) The method of claim 19, wherein a delivery agent comprises a cationic compound, and the nucleic acid molecule is treated therewith.
- 21. (previously presented) The method of claim 20, wherein the compound is selected from the group consisting of N-[1-(2,3-dioleyloxy)propyl]-N,N,N-trimethylammonium chloride (DOTMA), dioleoylphosphatidylethanolamine (DOPE), 2,3-dioleyloxy-N-[2(spermine-carboxamido)ethyl]-N,N-dimethyl-1-propanaminiumtrifluoroacetate (DOSPA), C₅₂H₁₀₆N₆O₄C•4CF₃CO₂H, C₈₈H₁₇₈N₈O₄S₂C•4CF₃CO₂H, C₄₀H₈₄NO₃P•CF₃CO₂H, C₅₀H₁₀₃N₇O₃•4CF₃CO₂H, C₅₅H₁₁₆N₈O₂C₆•CF₃CO₂H, C₄₉H₁₀₂N₆O₃C•4CF₃CO₂H, C₄₄H₈₉N₅O₃C•2CF₃CO₂H, C₄₁H₇₈NO₈P, C₁₀₀H₂O₆N₁₂O₄S₂•8CF₃CO₂H, C₁₆₂H₃₃₀N₂₂O₉•13CF₃CO₂H, C₄₃H₈₈N₄O₂•2CF₃CO₂H, C₄₃H₈₈N₄O₃•2CF₃CO₂H and (1-methyl-4-(1-octadec-9-enyl-nonadec-10-enylenyl) pyridinium chloride.
- 22. (previously presented) The method of claim 18, wherein the nucleic acid molecule is <u>a</u> naked DNA that is greater than about 0.6 megabases in size, a natural chromosome, an artificial chromosome or a fragment of a chromosome.
 - 23. 30. (cancelled)

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31. (original) The method of claim 17, wherein the cell is selected from the group consisting of a primary cell, an immortalized cell, an embryonic cell, a stem cell, a transformed cells and a tumor cell.

- 32. (cancelled)
- 33. (previously presented) The method of claim 17, further comprising: (d) determining the number of cells containing the label.
- 34. (cancelled)
- 35. (previously presented) The method of claim 17, wherein the nucleic acid molecule is labeled with a thymidine analog.
- 36. (previously presented) The method of claim 35, wherein the thymidine analog is iododeoxyuridine or bromodeoxyuridine.
- 37. (previously presented) The method of claim 36, wherein a delivery agent comprises a cationic compound, and the nucleic acid molecule is treated therewith.
- 38. (previously presented) The method of claim 37, wherein the compound is selected from the group consisting of N-[1-(2,3-dioleyloxy)propyl]-N,N,N-trimethylammonium chloride (DOTMA), dioleoylphosphatidylethanolamine (DOPE), 2,3-dioleyloxy-N-[2(spermine-carboxamido)ethyl]-N,N-dimethyl-1-propanaminiumtrifluoroacetate (DOSPA), $C_{52}H_{106}N_6O_4C^{\bullet}4CF_3CO_2H$, $C_{88}H_{178}N_8O_4S_2C^{\bullet}4CF_3CO_2H$, $C_{40}H_{84}NO_3P^{\bullet}CF_3CO_2H$, $C_{50}H_{103}N_7O_3^{\bullet}4CF_3CO_2H$, $C_{55}H_{116}N_8O_2C_6^{\bullet}CF_3CO_2H$, $C_{49}H_{102}N_6O_3C^{\bullet}4CF_3CO_2H$, $C_{44}H_{89}N_5O_3C^{\bullet}2CF_3CO_2H$, $C_{41}H_{78}NO_8P$, $C_{100}H_2O_6N_{12}O_4S_2^{\bullet}8CF_3CO_2H$, $C_{162}H_{330}N_{22}O_9^{\bullet}13CF_3CO_2H$, $C_{43}H_{88}N_4O_2^{\bullet}2CF_3CO_2H$, $C_{43}H_{88}N_4O_3^{\bullet}2CF_3CO_2H$ and (1-methyl-4-(1-octadec-9-enyl-nonadec-10-enylenyl) pyridinium chloride.
- 39. (previously presented) The method of claim 35, wherein the nucleic acid molecule is a naked DNA that is greater than about 0.6 megabases in size, a natural chromosome, an artificial chromosome or a fragment of a chromosome.
- 40. (previously presented) The method of claim 18, wherein the cell is selected from the group consisting of a primary cell, an immortalized cell, an embryonic cell, a stem cell, a transformed cells and a tumor cell.
 - 41. (previously presented) The method of claim 18, further comprising: (d) determining the number of cells containing the label.